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January 5, 2022

The Honorable Richard J. Sullivan
United States Courthouse
500 Pearl Street
New York, New York 10007

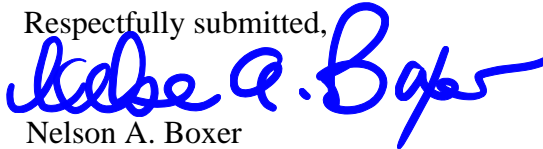
Re: *Oakley v. Dolan, et al.; Civil Case No. 17-cv-06903 (RJS)*

Dear Judge Sullivan:

We write in response to the letter filed yesterday afternoon (Doc. 133) by defendants' counsel in which defendants agree to delay filing a motion for sanctions until after the Second Circuit decides plaintiff's pending appeal, on the condition that they "would not be prejudiced by any such delay in later filing the motion, and that the timeliness of the motion would not be brought into question because of Defendants' forbearance."

Assuming defendants' delay filing a sanctions motion, plaintiff agrees to not argue that such a motion is untimely because of the delay from the date when defendants first gave notice of its intention to make a sanctions motion, November 29, 2021 (Doc. 124), until a reasonable time subsequent to the Second Circuit's adjudication of plaintiff's appeal. Plaintiff does not waive, and does not agree to "forebear" from making, any other arguments, including those set forth in our December 2, 2021 (Doc. 125), pre-motion conference letter.

Respectfully submitted,



Nelson A. Boxer

Co-counsel for Plaintiff Charles Oakley